

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:16-cv-02462-RC**

PRO PUBLICA, INC. v. UNITED STATES DEPARTMENT
OF VETERANS AFFAIRS

Assigned to: Judge Rudolph Contreras

Case: 1:17-cv-00124-RC

Cause: 05:552 Freedom of Information Act

Plaintiff

PRO PUBLICA, INC.

Date Filed: 12/16/2016

Jury Demand: None

Nature of Suit: 895 Freedom of
Information Act

Jurisdiction: U.S. Government Defendant

represented by **Giang T. Ton-that**
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TERMINATED: 06/19/2017

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ATTORNEY TO BE NOTICED

V.

Defendant

**UNITED STATES DEPARTMENT OF
VETERANS AFFAIRS**

represented by **Daniel Patrick Schaefer**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

| Date Filed | # | Docket Text |
|------------|----------|--|
| 12/16/2016 | <u>1</u> | COMPLAINT against UNITED STATES DEPARTMENT OF VETERANS AFFAIRS (Filing fee \$ 400 receipt number 0090-4780118) filed by PRO PUBLICA, INC.. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Civil Cover Sheet, # <u>8</u> Summons TO UNITED STATES DEPARTMENT OF VETERANS AFFAIRS, # <u>9</u> Summons TO UNITED STATES ATTORNEY FOR THE DISTRICT OF COLUMBIA, # <u>10</u> Summons TO UNITED STATES ATTORNEY GENERAL)(Watkins, Seth) (Entered: 12/16/2016) |
| 12/16/2016 | <u>2</u> | LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by PRO PUBLICA, INC. (Watkins, Seth) (Entered: 12/16/2016) |

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| 12/19/2016 | <u>3</u> | REQUEST FOR SUMMONS TO ISSUE <i>as to United States Department of Veterans Affairs</i> re <u>1</u> Complaint, filed by PRO PUBLICA, INC.. Related document: <u>1</u> Complaint, filed by PRO PUBLICA, INC..(Watkins, Seth) (Entered: 12/19/2016) |
| 12/19/2016 | <u>4</u> | REQUEST FOR SUMMONS TO ISSUE <i>as to U.S. Attorney for the District of Columbia</i> filed by PRO PUBLICA, INC..(Watkins, Seth) (Entered: 12/19/2016) |
| 12/19/2016 | <u>5</u> | REQUEST FOR SUMMONS TO ISSUE <i>as to U.S. Attorney General</i> filed by PRO PUBLICA, INC..(Watkins, Seth) (Entered: 12/19/2016) |
| 12/19/2016 | | Case Assigned to Judge Rudolph Contreras. (sb) (Entered: 12/19/2016) |
| 12/19/2016 | <u>6</u> | SUMMONS (3) Issued Electronically as to UNITED STATES DEPARTMENT OF VETERANS AFFAIRS, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Consent Form)(sb) (Entered: 12/19/2016) |
| 12/29/2016 | <u>7</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 12/23/2016. Answer due for ALL FEDERAL DEFENDANTS by 1/22/2017. (Attachments: # <u>1</u> Declaration of Seth A. Watkins)(Watkins, Seth) (Entered: 12/29/2016) |
| 12/29/2016 | <u>8</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 12/23/2016. (Attachments: # <u>1</u> Declaration of Seth A. Watkins)(Watkins, Seth) (Entered: 12/29/2016) |
| 12/29/2016 | <u>9</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES DEPARTMENT OF VETERANS AFFAIRS served on 12/23/2016 (Attachments: # <u>1</u> Declaration of Seth A. Watkins)(Watkins, Seth) (Entered: 12/29/2016) |
| 01/23/2017 | <u>10</u> | MOTION for Leave to File <i>Amended Complaint</i> by PRO PUBLICA, INC. (Attachments: # <u>1</u> Exhibit A – Amended Complaint, # <u>2</u> Exhibit 1 to Amended Complaint, # <u>3</u> Exhibit 2 to Amended Complaint, # <u>4</u> Exhibit 3 to Amended Complaint, # <u>5</u> Exhibit 4 to Amended Complaint, # <u>6</u> Exhibit 5 to Amended Complaint, # <u>7</u> Exhibit 6 to Amended Complaint, # <u>8</u> Exhibit 7 to Amended Complaint, # <u>9</u> Exhibit 8 to Amended Complaint, # <u>10</u> Exhibit 9 to Amended Complaint, # <u>11</u> Text of Proposed Order)(Watkins, Seth) (Entered: 01/23/2017) |
| 01/23/2017 | <u>11</u> | NOTICE of Appearance by Daniel Patrick Schaefer on behalf of UNITED STATES DEPARTMENT OF VETERANS AFFAIRS (Schaefer, Daniel) (Entered: 01/23/2017) |
| 01/23/2017 | <u>12</u> | Consent MOTION for Extension of Time to File Answer re <u>1</u> Complaint, by UNITED STATES DEPARTMENT OF VETERANS AFFAIRS (Attachments: # <u>1</u> Text of Proposed Order)(Schaefer, Daniel) (Entered: 01/23/2017) |
| 01/30/2017 | <u>13</u> | RESPONSE by UNITED STATES DEPARTMENT OF VETERANS AFFAIRS re <u>10</u> MOTION for Leave to File <i>Amended Complaint</i> (Schaefer, Daniel) Modified event title on 1/31/2017 (znmw). (Entered: 01/30/2017) |
| 01/30/2017 | | MINUTE ORDER granting <u>10</u> Plaintiff's Motion for Leave to File an Amended Complaint: It is hereby ORDERED that Plaintiff may file an amended complaint. It is FURTHER ORDERED that Plaintiff's proposed amended complaint attached to Plaintiff's motion is DEEMED filed. SO ORDERED. Signed by Judge Rudolph Contreras on 1/30/2017. (lcrc1) (Entered: 01/30/2017) |
| 01/30/2017 | <u>14</u> | AMENDED COMPLAINT against UNITED STATES DEPARTMENT OF VETERANS AFFAIRS filed by PRO PUBLICA, INC.. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9)(znmw) (Entered: 01/31/2017) |
| 02/01/2017 | | MINUTE ORDER granting <u>12</u> Consent Motion for Extension of Time: It is hereby ORDERED that Defendant shall file its response to <u>14</u> Plaintiff's amended complaint on or before March 1, 2017. SO ORDERED. Signed by Judge Rudolph Contreras on 2/1/2017. (lcrc1) (Entered: 02/01/2017) |
| 02/01/2017 | | Set/Reset Deadlines: Responses due by 3/1/2017 (tj) (Entered: 02/01/2017) |

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| 02/02/2017 | <u>15</u> | MOTION for Preliminary Injunction by PRO PUBLICA, INC. (Attachments: # <u>1</u> Memorandum in Support of Motion for Preliminary Injunction, # <u>2</u> Declaration of Charles Ornstein, # <u>3</u> Exhibit 1 to Ornstein Declaration, # <u>4</u> Exhibit 2 to Ornstein Declaration, # <u>5</u> Exhibit 3 to Ornstein Declaration, # <u>6</u> Exhibit 4 to Ornstein Declaration, # <u>7</u> Exhibit 5 to Ornstein Declaration, # <u>8</u> Exhibit 6 to Ornstein Declaration, # <u>9</u> Exhibit 7 to Ornstein Declaration, # <u>10</u> Exhibit 8 to Ornstein Declaration, # <u>11</u> Exhibit 9 to Ornstein Declaration, # <u>12</u> Exhibit 10 to Ornstein Declaration, # <u>13</u> Exhibit 11 to Ornstein Declaration, # <u>14</u> Exhibit 12 to Ornstein Declaration, # <u>15</u> Exhibit 13 to Ornstein Declaration, # <u>16</u> Exhibit 14 to Ornstein Declaration, # <u>17</u> Exhibit 15 to Ornstein Declaration, # <u>18</u> Exhibit 16 to Ornstein Declaration, # <u>19</u> Exhibit 17 to Ornstein Declaration, # <u>20</u> Exhibit 18 to Ornstein Declaration, # <u>21</u> Exhibit 19 to Ornstein Declaration, # <u>22</u> Exhibit 20 to Ornstein Declaration, # <u>23</u> Exhibit 21 to Ornstein Declaration, # <u>24</u> Exhibit 22 to Ornstein Declaration, # <u>25</u> Exhibit 23 to Ornstein Declaration, # <u>26</u> Exhibit 24 to Ornstein Declaration, # <u>27</u> Exhibit 25 to Ornstein Declaration, # <u>28</u> Exhibit 26 to Ornstein Declaration, # <u>29</u> Exhibit 27 to Ornstein Declaration, # <u>30</u> Exhibit 28 to Ornstein Declaration, # <u>31</u> Exhibit 29 to Ornstein Declaration, # <u>32</u> Exhibit 30 to Ornstein Declaration, # <u>33</u> Exhibit 31 to Ornstein Declaration, # <u>34</u> Exhibit 32 to Ornstein Declaration, # <u>35</u> Exhibit 33 to Ornstein Declaration, # <u>36</u> Exhibit 34 to Ornstein Declaration, # <u>37</u> Exhibit 35 to Ornstein Declaration, # <u>38</u> Exhibit 36 to Ornstein Declaration, # <u>39</u> Exhibit 37 to Ornstein Declaration, # <u>40</u> Exhibit 38 to Ornstein Declaration, # <u>41</u> Exhibit 39 to Ornstein Declaration, # <u>42</u> Declaration of Wesley T. Carter, # <u>43</u> Exhibit 1 to Carter Declaration, # <u>44</u> Exhibit 2 to Carter Declaration, # <u>45</u> Exhibit 3 to Carter Declaration, # <u>46</u> Exhibit 4 to Carter Declaration, # <u>47</u> Exhibit 5 to Carter Declaration, # <u>48</u> Text of Proposed Order)(Watkins, Seth) (Entered: 02/02/2017) |
| 02/09/2017 | <u>16</u> | Consent MOTION for Extension of Time to File Response/Reply as to <u>15</u> MOTION for Preliminary Injunction by UNITED STATES DEPARTMENT OF VETERANS AFFAIRS (Attachments: # <u>1</u> Text of Proposed Order)(Schaefer, Daniel) (Entered: 02/09/2017) |
| 02/09/2017 | | MINUTE ORDER granting <u>16</u> Consent Motion for Extension of Time: It is hereby ORDERED that Defendant shall file its response to <u>15</u> Plaintiff's motion for a preliminary injunction on or before February 14, 2017. SO ORDERED. Signed by Judge Rudolph Contreras on 2/9/2017. (lcrc1) (Entered: 02/09/2017) |
| 02/14/2017 | <u>17</u> | Memorandum in opposition to re <u>15</u> MOTION for Preliminary Injunction filed by UNITED STATES DEPARTMENT OF VETERANS AFFAIRS. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Schaefer, Daniel) (Entered: 02/14/2017) |
| 02/17/2017 | | MINUTE ORDER: It is hereby ORDERED that the parties shall appear for a hearing on <u>4</u> Plaintiffs' motion for a preliminary injunction on Friday, February 24, 2017 at 10:30 AM in Courtroom 14. SO ORDERED. Signed by Judge Rudolph Contreras on 2/17/2017. (lcrc1) (Entered: 02/17/2017) |
| 02/21/2017 | <u>18</u> | REPLY to opposition to motion re <u>15</u> MOTION for Preliminary Injunction filed by PRO PUBLICA, INC.. (Attachments: # <u>1</u> Exhibit A)(Watkins, Seth) (Entered: 02/21/2017) |
| 02/22/2017 | | Set/Reset Hearings: Preliminary Injunction Hearing set for 2/24/2017 at 10:30 AM in Courtroom 14 before Judge Rudolph Contreras. (ztj) (Entered: 02/22/2017) |
| 02/23/2017 | <u>19</u> | NOTICE of Appearance by Giang T. Ton—that on behalf of PRO PUBLICA, INC. (Ton—that, Giang) (Entered: 02/23/2017) |
| 02/24/2017 | | Minute Entry for proceedings held before Judge Rudolph Contreras: Motion Hearing held on 2/24/2017 re <u>15</u> MOTION for Preliminary Injunction filed by PRO PUBLICA, INC. Scheduling order to follow. (Court Reporter: Patricia Kaneshiro Miller.) (tj) (Entered: 02/24/2017) |
| 02/24/2017 | <u>20</u> | ORDER. See document for details. Signed by Judge Rudolph Contreras on 2/24/2017. (lcrc1) (Entered: 02/24/2017) |
| 02/24/2017 | | Set/Reset Hearings: Status Conference set for 3/24/2017 at 10:00 AM in Courtroom 14 before Judge Rudolph Contreras. (tj) (Entered: 02/24/2017) |

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| 03/10/2017 | <u>21</u> | RESPONSE TO ORDER OF THE COURT re <u>20</u> Order filed by UNITED STATES DEPARTMENT OF VETERANS AFFAIRS. (Attachments: # <u>1</u> Exhibit 1: J. Horan Decl., Mar. 10, 2017)(Schaefer, Daniel) (Entered: 03/10/2017) |
| 03/17/2017 | <u>22</u> | RESPONSE TO ORDER OF THE COURT re <u>20</u> Order filed by PRO PUBLICA, INC.. (Attachments: # <u>1</u> Exhibit A)(Watkins, Seth) (Entered: 03/17/2017) |
| 03/24/2017 | | Minute Entry for proceedings held before Judge Rudolph Contreras: Status Conference held on 3/24/2017. Parties advise the court of the status of this action. Order to be issued by the court. Next Status Conference set for 4/27/2017 at 10:00 AM in Courtroom 14 before Judge Rudolph Contreras. (Court Reporter: Patricia Kaneshiro Miller.) (tj) (Entered: 03/24/2017) |
| 03/24/2017 | <u>23</u> | ORDER. See document for details. Signed by Judge Rudolph Contreras on 3/24/2017. (lcrc1) (Entered: 03/24/2017) |
| 03/31/2017 | <u>24</u> | MOTION to Hold in Abeyance re <u>14</u> Amended Complaint, <i>Defendant's Answer</i> by UNITED STATES DEPARTMENT OF VETERANS AFFAIRS (Attachments: # <u>1</u> Text of Proposed Order)(Schaefer, Daniel) (Entered: 03/31/2017) |
| 04/14/2017 | <u>25</u> | Memorandum in opposition to re <u>24</u> MOTION to Hold in Abeyance re <u>14</u> Amended Complaint, <i>Defendant's Answer</i> filed by PRO PUBLICA, INC.. (Attachments: # <u>1</u> Text of Proposed Order)(Watkins, Seth) (Entered: 04/14/2017) |
| 04/21/2017 | <u>26</u> | REPLY to opposition to motion re <u>24</u> MOTION to Hold in Abeyance re <u>14</u> Amended Complaint, <i>Defendant's Answer</i> filed by UNITED STATES DEPARTMENT OF VETERANS AFFAIRS. (Schaefer, Daniel) (Entered: 04/21/2017) |
| 04/24/2017 | <u>27</u> | NOTICE by UNITED STATES DEPARTMENT OF VETERANS AFFAIRS re <u>23</u> Order (Schaefer, Daniel) (Entered: 04/24/2017) |
| 04/25/2017 | <u>28</u> | TRANSCRIPT OF PROCEEDINGS before Judge Rudolph Contreras held on March 24, 2017; Page Numbers: 1–15. Date of Issuance: April 25, 2017. Court Reporter/Transcriber Patricia A Kaneshiro–Miller, Telephone number 202–354–3243, Transcripts may be ordered by submitting the Transcript Order Form<P></P><P></P>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter.<P> NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty–one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.<P></P>Redaction Request due 5/16/2017. Redacted Transcript Deadline set for 5/26/2017. Release of Transcript Restriction set for 7/24/2017.(pk) (Entered: 04/25/2017) |
| 04/26/2017 | | MINUTE ORDER: Upon consideration of <u>27</u> Notice Regarding the Court's March 24, 2017 Order, it is hereby ORDERED that the agency representative responsible for this matter shall attend the status hearing set for April 27, 2017 at 10:00 AM in Courtroom 14. SO ORDERED. Signed by Judge Rudolph Contreras on 4/26/2017. (lcrc1) (Entered: 04/26/2017) |
| 04/26/2017 | <u>29</u> | RESPONSE re <u>27</u> Notice (Other) by VA Regarding the Courts March 24, 2017 Order filed by PRO PUBLICA, INC.. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Text of Proposed Order)(Watkins, Seth) (Entered: 04/26/2017) |
| 04/26/2017 | <u>30</u> | STATUS REPORT by UNITED STATES DEPARTMENT OF VETERANS AFFAIRS. (Schaefer, Daniel) (Entered: 04/26/2017) |
| 04/27/2017 | | MINUTE ORDER granting in part and denying in part <u>24</u> Defendant's Motion to Hold Deadline: It is hereby ORDERED that Defendant shall respond to the complaint on or before June 27, 2017. SO ORDERED. Signed by Judge Rudolph Contreras on 4/27/2017. (lcrc1) (Entered: 04/27/2017) |

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| 04/27/2017 | | SCHEDULING MINUTE ORDER: It is hereby ORDERED that Plaintiff shall respond to <u>30</u> Defendant's Status Report on or before May 4, 2017 and Defendant shall reply on or before May 11, 2017. It is FURTHER ORDERED that the parties shall appear for a status conference on May 18, 2017 at 10:00 AM in Courtroom 14. SO ORDERED. Signed by Judge Rudolph Contreras on 4/27/2017. (lcrc1) (Entered: 04/27/2017) |
| 04/27/2017 | | Minute Entry for proceedings held before Judge Rudolph Contreras: Status Conference held on 4/27/2017. Scheduling order entered. (Status Conference set for 5/18/2017 at 10:00 AM in Courtroom 14 before Judge Rudolph Contreras. (Court Reporter: Patricia Kaneshiro Miller.) (tj) (Entered: 04/27/2017) |
| 04/28/2017 | | Set/Reset Deadlines: Responses due by 5/4/2017 Replies due by 5/11/2017. (tj) (Entered: 04/28/2017) |
| 04/28/2017 | | Set/Reset Deadlines: Answer due by 6/27/2017, (tj) (Entered: 04/28/2017) |
| 04/28/2017 | <u>31</u> | TRANSCRIPT OF PROCEEDINGS before Judge Rudolph Contreras held on April 27, 2017; Page Numbers: 1–36. Date of Issuance: April 28, 2017. Court Reporter/Transcriber Patricia A Kaneshiro–Miller, Telephone number 202–354–3243, Tape Number: Patricia_Kaneshiro–Miller@dcd.uscourts.gov. Transcripts may be ordered by submitting the Transcript Order Form<P></P><P></P>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter.<P> NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty–one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.<P></P>Redaction Request due 5/19/2017. Redacted Transcript Deadline set for 5/29/2017. Release of Transcript Restriction set for 7/27/2017.(pk) (Entered: 04/28/2017) |
| 05/04/2017 | <u>32</u> | RESPONSE re <u>30</u> Status Report filed by PRO PUBLICA, INC.. (Attachments: # <u>1</u> Exhibit 1)(Watkins, Seth) (Entered: 05/04/2017) |
| 05/11/2017 | <u>33</u> | RESPONSE TO ORDER OF THE COURT re Order, filed by UNITED STATES DEPARTMENT OF VETERANS AFFAIRS. (Attachments: # <u>1</u> Declaration J. Buck Decl., dated May 11, 2017)(Schaefer, Daniel) (Entered: 05/11/2017) |
| 05/17/2017 | <u>34</u> | MOTION for Discovery <i>and Memorandum in Support thereof</i> by PRO PUBLICA, INC. (Attachments: # <u>1</u> Exhibit 1 – Interrogatories to VA, # <u>2</u> Exhibit 2 – Requests for Production to VA, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Text of Proposed Order)(Watkins, Seth) Modified event title on 5/18/2017 (znmw). (Entered: 05/17/2017) |
| 05/18/2017 | | MINUTE ORDER: It is hereby ORDERED that Defendant shall file a status update on or before May 25, 2017 addressing any additional resources allocated for FOIA processing. It is FURTHER ORDERED that Defendant shall file a comprehensive status report on or before June 16, 2017. It is FURTHER ORDERED that the parties shall appear for a status conference on June 22, 2017 at 10:00 AM in Courtroom 14. SO ORDERED. Signed by Judge Rudolph Contreras on 5/18/2017. (lcrc1) (Entered: 05/18/2017) |
| 05/18/2017 | | Minute Entry for proceedings held before Judge Rudolph Contreras on 5/18/17 : Status Conference held. Further Status Conference set for 6/22/17 at 10:00 AM in Courtroom 14 before Judge Rudolph Contreras. (Court Reporter : Pat Kaneshiro–Miller) (kk) (Entered: 05/18/2017) |
| 05/18/2017 | | Set/Reset Deadlines : Defendant's status update regarding additional resources allocated for FOIA processing due by 5/25/17; Defendant's next comprehensive status report due by 6/16/17. (kk) (Entered: 05/18/2017) |
| 05/18/2017 | | Set/Reset Deadlines/Hearings: Status Update due by 5/25/2017. Status Report due by 6/16/2017. Status Conference set for 6/22/2017 at 10:00 AM in Courtroom 14 before |

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| | | Judge Rudolph Contreras. (hs) (Entered: 05/18/2017) |
| 05/19/2017 | <u>35</u> | TRANSCRIPT OF PROCEEDINGS before Judge Rudolph Contreras held on May 18, 2017; Page Numbers: 1–36. Date of Issuance: May 19, 2017. Court Reporter/Transcriber Patricia A Kaneshiro–Miller, Telephone number 202–354–3243, Tape Number: Patricia_Kaneshiro–Miller@dcd.uscourts.gov. Transcripts may be ordered by submitting the Transcript Order Form<P></P><P></P><P></P>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter.<P> NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty–one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.<P></P>Redaction Request due 6/9/2017. Redacted Transcript Deadline set for 6/19/2017. Release of Transcript Restriction set for 8/17/2017.(pk) (Entered: 05/19/2017) |
| 05/25/2017 | <u>36</u> | STATUS REPORT by UNITED STATES DEPARTMENT OF VETERANS AFFAIRS. (Schaefer, Daniel) (Entered: 05/25/2017) |
| 05/31/2017 | <u>37</u> | Memorandum in opposition to re <u>34</u> MOTION for Discovery <i>and Memorandum in Support thereof</i> filed by UNITED STATES DEPARTMENT OF VETERANS AFFAIRS. (Schaefer, Daniel) (Entered: 05/31/2017) |
| 06/07/2017 | <u>38</u> | REPLY to opposition to motion re <u>34</u> MOTION for Discovery <i>and Memorandum in Support thereof</i> filed by PRO PUBLICA, INC.. (Watkins, Seth) (Entered: 06/07/2017) |
| 06/12/2017 | <u>39</u> | ERRATA by PRO PUBLICA, INC. <u>38</u> Reply to opposition to Motion filed by PRO PUBLICA, INC.. (Watkins, Seth) (Entered: 06/12/2017) |
| 06/16/2017 | <u>40</u> | NOTICE of Filing of Declaration by UNITED STATES DEPARTMENT OF VETERANS AFFAIRS (Attachments: # <u>1</u> Declaration of J. Buck, June 16, 2017)(Schaefer, Daniel) (Entered: 06/16/2017) |
| 06/19/2017 | <u>41</u> | NOTICE OF WITHDRAWAL OF APPEARANCE as to PRO PUBLICA, INC.. Attorney Giang T. Ton–that terminated. (Watkins, Seth) (Entered: 06/19/2017) |
| 06/22/2017 | | MINUTE ORDER: It is hereby ORDERED that Defendant shall file its declarations addressing information technology issues on or before June 29, 2017. It is FURTHER ORDERED that Defendant shall file a comprehensive status report on or before July 24, 2017. It is FURTHER ORDERED that the parties shall appear for a status conference on July 27, 2017 at 10:00 AM in Courtroom 14. SO ORDERED. Signed by Judge Rudolph Contreras on 6/22/2017. (lcrc1) (Entered: 06/22/2017) |
| 06/22/2017 | | Minute Entry for status conference held before Judge Rudolph Contreras on 6/22/17: Declarations due on or before 6/29/17. Status Report due by 7/24/2017. Next Status Conference set for 7/27/2017 at 10:00 AM in Courtroom 14 before Judge Rudolph Contreras. (Court Reporter: Patricia Kaneshiro Miller.) (tj) (Entered: 06/22/2017) |
| 06/27/2017 | <u>42</u> | NOTICE of Change of Address by Seth A. Watkins (Watkins, Seth) (Entered: 06/27/2017) |
| 06/27/2017 | <u>43</u> | ANSWER to <u>14</u> Amended Complaint, by UNITED STATES DEPARTMENT OF VETERANS AFFAIRS. Related document: <u>14</u> Amended Complaint, filed by PRO PUBLICA, INC..(Schaefer, Daniel) (Entered: 06/27/2017) |
| 06/27/2017 | <u>44</u> | NOTICE of Filing of Declaration by UNITED STATES DEPARTMENT OF VETERANS AFFAIRS (Attachments: # <u>1</u> Declaration of J. Ramos, dated June 23, 2017)(Schaefer, Daniel) (Entered: 06/27/2017) |
| 07/24/2017 | <u>45</u> | NOTICE of Filing of Declaration by UNITED STATES DEPARTMENT OF VETERANS AFFAIRS (Attachments: # <u>1</u> Declaration of J. Oswalt, July 24, 2017)(Schaefer, Daniel) (Entered: 07/24/2017) |

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| 07/27/2017 | | MINUTE ORDER: It is hereby ORDERED that Defendant shall file a status report addressing the requests with expected completion dates of December 2017 and the requests without expected completion dates on or before August 10, 2017. It is FURTHER ORDERED that Defendant shall file a declaration on or before August 28, 2017. It is FURTHER ORDERED that the parties shall appear for a status conference on September 11, 2017 at 10:00 AM in Courtroom 14. SO ORDERED. Signed by Judge Rudolph Contreras on 7/27/2017. (lcrc1) (Entered: 07/27/2017) |
| 07/27/2017 | | Minute Entry for proceedings held before Judge Rudolph Contreras: Status Conference held on 7/27/2017. Parties advise the court of the status of this action. Order to follow. Next status conference set for 9/11/2017 at 10:00 AM in Courtroom 14 before Judge Rudolph Contreras. (Court Reporter :Patricia Kaneshiro Miller.) (tj) (Entered: 07/27/2017) |
| 07/27/2017 | | Set/Reset Deadlines: Status Report due by 8/10/2017 (tj) (Entered: 07/27/2017) |
| 07/31/2017 | <u>46</u> | TRANSCRIPT OF PROCEEDINGS before Judge Rudolph Contreras held on July 27, 2017; Page Numbers: 1–26. Date of Issuance: July 31, 2017. Court Reporter/Transcriber Patricia A Kaneshiro–Miller, Telephone number 202–354–3243, Tape Number: Patricia_Kaneshiro–Miller@dcd.uscourts.gov. Transcripts may be ordered by submitting the Transcript Order Form<P></P><P></P>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter.<P> NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty–one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.<P></P>Redaction Request due 8/21/2017. Redacted Transcript Deadline set for 8/31/2017. Release of Transcript Restriction set for 10/29/2017.(pk) (Entered: 07/31/2017) |
| 08/10/2017 | <u>47</u> | STATUS REPORT by UNITED STATES DEPARTMENT OF VETERANS AFFAIRS. (Schaefer, Daniel) (Entered: 08/10/2017) |
| 08/28/2017 | <u>48</u> | NOTICE of Filing of Declaration by UNITED STATES DEPARTMENT OF VETERANS AFFAIRS re Order,, (Attachments: # <u>1</u> Declaration J. Buck)(Schaefer, Daniel) (Entered: 08/28/2017) |
| 09/11/2017 | | MINUTE ORDER denying <u>15</u> Plaintiff's Motion for a Preliminary Injunction: It is hereby ORDERED that, for the reasons stated on the record during the Status Conference held on September 11, 2017, Plaintiff's Motion for a Preliminary Injunction is DENIED AS MOOT. SO ORDERED. Signed by Judge Rudolph Contreras on 09/11/2017. (lcrc1) (Entered: 09/11/2017) |
| 09/11/2017 | <u>49</u> | NOTICE of Change of Address by Seth A. Watkins (Watkins, Seth) (Entered: 09/11/2017) |
| 09/22/2017 | | MINUTE ORDER: It is hereby ORDERED that the status conference currently scheduled for November 6, 2017 at 10:00 AM shall be VACATED and RESCHEDULED for November 6, 2017 at 2:00 PM. SO ORDERED. Signed by Judge Rudolph Contreras on 09/22/2017. (lcrc1) (Entered: 09/22/2017) |
| 10/20/2017 | <u>50</u> | STATUS REPORT by UNITED STATES DEPARTMENT OF VETERANS AFFAIRS. (Schaefer, Daniel) (Entered: 10/20/2017) |
| 11/06/2017 | | Minute Entry for proceedings held before Judge Rudolph Contreras: Status Conference held on 11/6/2017. Parties inform the court of the status of this action. Next status conference set for 1/18/2018 at 10:30 AM in Courtroom 14 before Judge Rudolph Contreras. Status Report due by 1/12/2018. (Court Reporter: Patricia Kaneshiro Miller.) (tj) (Entered: 11/06/2017) |
| 12/08/2017 | <u>51</u> | TRANSCRIPT OF PROCEEDINGS before Judge Rudolph Contreras held on November 6, 2017; Page Numbers: 1–9. Date of Issuance: December 8, 2017. Court Reporter/Transcriber Patricia A Kaneshiro–Miller, Telephone number 202–354–3243, |

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| | | <p>Transcripts may be ordered by submitting the Transcript Order Form<P></P><P></P>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter.<P>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty–one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.<P></P>Redaction Request due 12/29/2017. Redacted Transcript Deadline set for 1/8/2018. Release of Transcript Restriction set for 3/8/2018.(pk) (Entered: 12/08/2017)</p> |
| 01/12/2018 | <u>52</u> | Joint STATUS REPORT by PRO PUBLICA, INC.. (Attachments: # <u>1</u> Text of Proposed Order)(Watkins, Seth) (Entered: 01/12/2018) |
| 01/12/2018 | | MINUTE ORDER: Upon consideration of <u>52</u> the parties' Joint Status Report, it is hereby ORDERED that the parties shall file a joint status report discussing their recommendation for further proceedings on or before February 8, 2018. It is FURTHER ORDERED that the status conference currently scheduled for January 18, 2018 at 10:30 AM shall be VACATED and RESCHEDULED for February 23, 2018 at 10:30 AM in Courtroom 14. SO ORDERED. Signed by Judge Rudolph Contreras on 01/12/2018. (lcrc1) (Entered: 01/12/2018) |
| 02/01/2018 | | NOTICE of Hearing: Status Conference currently scheduled for 2/23/2018 at 10:30am is hereby RESCHEDULED for 11:30 AM on the same day in Courtroom 14 before Judge Rudolph Contreras. (tj) (Entered: 02/01/2018) |
| 02/08/2018 | <u>53</u> | Joint STATUS REPORT by PRO PUBLICA, INC.. (Attachments: # <u>1</u> Text of Proposed Order)(Watkins, Seth) (Entered: 02/08/2018) |
| 02/09/2018 | | MINUTE ORDER: Upon consideration of <u>53</u> the parties' Joint Status Report, it is hereby ORDERED that the parties shall submit a further joint status report on or before March 8, 2018. It is FURTHER ORDERED that the status conference currently scheduled for February 23, 2018, at 11:30 AM is hereby VACATED AND RESCHEDULED for March 12, 2018 at 11:00 AM in Courtroom 14. SO ORDERED. Signed by Judge Rudolph Contreras on 02/09/2018. (lcrc1) (Entered: 02/09/2018) |
| 02/09/2018 | | MINUTE ORDER: It is hereby ORDERED that the status conference currently scheduled for March 12, 2018 at 11:00 AM is VACATED AND RESCHEDULED for March 9, 2018 at 2:00 PM in Courtroom 14. SO ORDERED. Signed by Judge Rudolph Contreras on 02/09/2018. (lcrc1) (Entered: 02/09/2018) |
| 03/08/2018 | <u>54</u> | Joint STATUS REPORT by PRO PUBLICA, INC.. (Attachments: # <u>1</u> Text of Proposed Order)(Watkins, Seth) (Entered: 03/08/2018) |
| 03/08/2018 | | MINUTE ORDER: Upon consideration of <u>54</u> the parties' Joint Status Report, it is hereby ORDERED that the status hearing scheduled for March 9, 2018 is VACATED. It is FURTHER ORDERED that the parties shall submit a further joint status report on or before April 9, 2018. SO ORDERED. Signed by Judge Rudolph Contreras on 03/08/2018. (lcrc1) (Entered: 03/08/2018) |
| 03/09/2018 | | Set/Reset Deadlines: Status Report due by 4/9/2018 (tj) (Entered: 03/09/2018) |
| 04/09/2018 | <u>55</u> | Joint STATUS REPORT by PRO PUBLICA, INC.. (Attachments: # <u>1</u> Text of Proposed Order)(Watkins, Seth) (Entered: 04/09/2018) |
| 04/09/2018 | | MINUTE ORDER: Upon consideration of <u>55</u> the parties' Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report on or before May 23, 2018. SO ORDERED. Signed by Judge Rudolph Contreras on 04/09/2018. (lcrc1) (Entered: 04/09/2018) |
| 04/10/2018 | | Set/Reset Deadlines: Status Report due by 5/23/2018 (tj) (Entered: 04/10/2018) |
| 05/23/2018 | <u>56</u> | Joint STATUS REPORT by PRO PUBLICA, INC.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Text of Proposed Order)(Watkins, Seth) (Entered: 05/23/2018) |

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| 05/24/2018 | | MINUTE ORDER: Upon consideration of <u>56</u> the parties' Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report on or before June 22, 2018. SO ORDERED. Signed by Judge Rudolph Contreras on 05/24/2018. (lcrc1) (Entered: 05/24/2018) |
| 05/25/2018 | | Set/Reset Deadlines: Status Report due by 6/22/2018 (tj) (Entered: 05/25/2018) |
| 06/22/2018 | <u>57</u> | Joint STATUS REPORT by PRO PUBLICA, INC.. (Attachments: # <u>1</u> Text of Proposed Order)(Watkins, Seth) (Entered: 06/22/2018) |
| 06/22/2018 | | MINUTE ORDER: Upon consideration of <u>57</u> the parties' Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report on or before August 6, 2018. SO ORDERED. Signed by Judge Rudolph Contreras on 06/22/2018. (lcrc1) (Entered: 06/22/2018) |
| 06/25/2018 | | Set/Reset Deadlines: Status Report due by 8/6/2018. (tj) (Entered: 06/25/2018) |
| 08/06/2018 | <u>58</u> | Joint STATUS REPORT by UNITED STATES DEPARTMENT OF VETERANS AFFAIRS. (Attachments: # <u>1</u> Text of Proposed Order)(Schaefer, Daniel) (Entered: 08/06/2018) |
| 08/06/2018 | | MINUTE ORDER: Upon consideration of <u>58</u> the parties' Joint Status Report, it is hereby ORDERED that, on or before September 12, 2018, the parties shall file a further joint status report discussing, <i>inter alia</i> , a recommendation for further proceedings. It is FURTHER ORDERED that, on or before August 20, 2018, the parties shall meet, confer, and inform the Court of what, if anything, the parties would like the Court to do with <u>34</u> the pending motion for discovery. SO ORDERED. Signed by Judge Rudolph Contreras on 08/06/2018. (lcrc1) (Entered: 08/06/2018) |
| 08/07/2018 | | Set/Reset Deadlines: Attorney Meet and Confer Conference due by 8/20/2018. Status Report due by 9/12/2018 (hs) (Entered: 08/07/2018) |
| 08/20/2018 | <u>59</u> | Joint STATUS REPORT <i>Regarding Pending Discovery Motions</i> by PRO PUBLICA, INC.. (Attachments: # <u>1</u> Text of Proposed Order)(Watkins, Seth) (Entered: 08/20/2018) |
| 08/21/2018 | | MINUTE ORDER: Upon consideration of <u>59</u> the parties' Joint Status Report, it is hereby ORDERED that <u>34</u> Plaintiff's Motion for Discovery is DENIED WITHOUT PREJUDICE, subject to refile upon notice from Plaintiff. SO ORDERED. Signed by Judge Rudolph Contreras on 08/21/2018. (lcrc1) (Entered: 08/21/2018) |
| 09/12/2018 | <u>60</u> | Joint STATUS REPORT by UNITED STATES DEPARTMENT OF VETERANS AFFAIRS. (Attachments: # <u>1</u> Text of Proposed Order)(Schaefer, Daniel) (Entered: 09/12/2018) |
| 09/12/2018 | | MINUTE ORDER: Upon consideration of <u>60</u> the parties' Joint Status Report, it is hereby ORDERED that, on or before October 12, 2018, the parties shall file a further joint status report discussing, <i>inter alia</i> , a recommendation for further proceedings. SO ORDERED. Signed by Judge Rudolph Contreras on 9/12/18. (lcrc1) (Entered: 09/12/2018) |
| 09/12/2018 | | Set/Reset Deadlines: Status Report due by 10/12/2018 (tj) (Entered: 09/12/2018) |
| 10/12/2018 | <u>61</u> | Joint STATUS REPORT by UNITED STATES DEPARTMENT OF VETERANS AFFAIRS. (Attachments: # <u>1</u> Text of Proposed Order)(Schaefer, Daniel) (Entered: 10/12/2018) |
| 10/12/2018 | | MINUTE ORDER: Upon consideration of <u>61</u> the parties' Joint Status Report, it is hereby ORDERED that, on or before November 12, 2018, the parties shall file a further joint status report discussing, <i>inter alia</i> , a recommendation for further proceedings. SO ORDERED. Signed by Judge Rudolph Contreras on 10/12/18. (lcrc1) (Entered: 10/12/2018) |
| 10/15/2018 | | Set/Reset Deadlines: Status Report due by 11/12/2018 (tj) (Entered: 10/15/2018) |
| 11/13/2018 | <u>62</u> | Joint STATUS REPORT by UNITED STATES DEPARTMENT OF VETERANS AFFAIRS. (Attachments: # <u>1</u> Text of Proposed Order)(Schaefer, Daniel) (Entered: 11/13/2018) |

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| 11/13/2018 | | MINUTE ORDER: Upon consideration of <u>62</u> the parties' Joint Status Report, it is hereby ORDERED that, on or before December 13, 2018, the parties shall file a further joint status report discussing, <i>inter alia</i> , a recommendation for further proceedings. SO ORDERED. Signed by Judge Rudolph Contreras on 11/13/18. (lcrc1) (Entered: 11/13/2018) |
| 11/21/2018 | | Set/Reset Deadlines: Status Report due by 12/13/2018 (tj) (Entered: 11/21/2018) |
| 12/13/2018 | <u>63</u> | Joint STATUS REPORT by PRO PUBLICA, INC.. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Text of Proposed Order by Plaintiffs, # <u>4</u> Text of Proposed Order by Defendant)(Watkins, Seth) (Entered: 12/13/2018) |
| 12/21/2018 | | MINUTE ORDER: Upon consideration of <u>63</u> the parties' Joint Status Report, it is hereby ORDERED that the parties shall appear for a status conference on January 25, 2019 at 10:00 AM in Courtroom 14. SO ORDERED. Signed by Judge Rudolph Contreras on 12/21/18. (lcrc1) (Entered: 12/21/2018) |
| 12/26/2018 | | Set/Reset Hearings: Status Conference set for 1/25/2019 at 10:00 AM in Courtroom 14 before Judge Rudolph Contreras. (tj) (Entered: 12/26/2018) |
| 01/23/2019 | <u>64</u> | Consent MOTION to Stay <i>in Light of Lapse in Appropriations</i> by UNITED STATES DEPARTMENT OF VETERANS AFFAIRS (Schaefer, Daniel). Added MOTION to Vacate on 1/25/2019 (tth). (Entered: 01/23/2019) |
| 01/24/2019 | | MINUTE ORDER granting <u>64</u> Defendant's Consent Motion to Stay. It is hereby ORDERED that this action is stayed until appropriations are restored to the Department of Justice. It is FURTHER ORDERED that the parties shall file a joint status report proposing new deadlines within 14 days of Congress restoring appropriations. It is FURTHER ORDERED that the status conference scheduled for January 25, 2019 is vacated. SO ORDERED. Signed by Judge Rudolph Contreras on January 24, 2019. (lcrc3) (Entered: 01/24/2019) |
| 02/08/2019 | <u>65</u> | Joint STATUS REPORT by UNITED STATES DEPARTMENT OF VETERANS AFFAIRS. (Attachments: # <u>1</u> Text of Proposed Order)(Schaefer, Daniel) (Entered: 02/08/2019) |
| 02/08/2019 | | MINUTE ORDER: Upon consideration of the parties' <u>65</u> Joint Status Report, it is hereby ORDERED that the parties shall file another joint status report addressing the status of the outstanding draft <i>Vaughn</i> indices and productions and proposing a schedule for further proceedings by March 11, 2019. SO ORDERED. Signed by Judge Rudolph Contreras on 2/8/19. (lcrc1) (Entered: 02/08/2019) |
| 03/06/2019 | | Set/Reset Deadlines: Status Report due by 3/11/2019 (tj) (Entered: 03/06/2019) |
| 03/11/2019 | <u>66</u> | Joint STATUS REPORT by PRO PUBLICA, INC.. (Attachments: # <u>1</u> Text of Proposed Order)(Watkins, Seth) (Entered: 03/11/2019) |
| 03/12/2019 | | MINUTE ORDER: Upon consideration of <u>66</u> the parties' Joint Status Report, it is hereby ORDERED that the parties shall file another joint status report addressing the status of the outstanding draft <i>Vaughn</i> indices and productions on or before April 10, 2019. SO ORDERED. Signed by Judge Rudolph Contreras on 3/12/19. (lcrc1) (Entered: 03/12/2019) |
| 04/04/2019 | | Set/Reset Deadlines: Status Report due by 4/10/2019 (tj) (Entered: 04/04/2019) |
| 04/10/2019 | <u>67</u> | Joint STATUS REPORT by UNITED STATES DEPARTMENT OF VETERANS AFFAIRS. (Attachments: # <u>1</u> Text of Proposed Order)(Schaefer, Daniel) (Entered: 04/10/2019) |
| 04/10/2019 | | MINUTE ORDER: In light of the parties' <u>67</u> joint status report, it is hereby ORDERED that the parties shall file another joint status report addressing the status of the outstanding draft <i>Vaughn</i> indices and productions by May 10, 2019. SO ORDERED. Signed by Judge Rudolph Contreras on 4/10/19. (lcrc1) (Entered: 04/10/2019) |
| 04/11/2019 | | Set/Reset Deadlines: Status Report due by 5/10/2019 (tj) (Entered: 04/11/2019) |
| 05/10/2019 | <u>68</u> | Joint STATUS REPORT by UNITED STATES DEPARTMENT OF VETERANS AFFAIRS. (Attachments: # <u>1</u> Text of Proposed Order)(Schaefer, Daniel) (Entered: 05/10/2019) |

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| 05/13/2019 | | MINUTE ORDER: Upon consideration of the parties' <u>68</u> joint status report, it is hereby ORDERED that the parties shall file another joint status report addressing the status of the outstanding draft <i>Vaughn</i> indices and productions on or before June 10, 2019. SO ORDERED. Signed by Judge Rudolph Contreras on 5/13/19. (lcrc1) (Entered: 05/13/2019) |
| 05/21/2019 | | Set/Reset Deadlines: Status Report due by 6/10/2019 (tj) (Entered: 05/21/2019) |
| 06/10/2019 | <u>69</u> | Joint STATUS REPORT by UNITED STATES DEPARTMENT OF VETERANS AFFAIRS. (Attachments: # <u>1</u> Text of Proposed Order)(Schaefer, Daniel) (Entered: 06/10/2019) |
| 06/11/2019 | | MINUTE ORDER: Upon consideration of the parties' <u>69</u> joint status report, it is hereby ORDERED that the parties shall file another joint status report addressing the status of the outstanding draft <i>Vaughn</i> indices and productions on or before July 10, 2019. SO ORDERED. (lcrc1) (Entered: 06/11/2019) |
| 06/11/2019 | | Set/Reset Deadlines: Status Report due by 7/10/2019. (tj) (Entered: 06/11/2019) |